

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRUCE E. VAWSER,

Plaintiff,

V.

TINA UPDEGROVE and SCOTT  
WILSON,

Defendants.

4:06CV3217

# MEMORANDUM AND ORDER

This matter is before the court on Defendants’ Motion to Extend Scheduling Deadlines. (Filing No. 74.) For good cause shown, Defendants’ Motion is granted.

IT IS THEREFORE ORDERED that:

1. Defendants' Motion to Extend Scheduling Deadlines (filing no. [74](#)) is granted. This matter shall be progressed as follows.
2. Deposition and discovery deadline. All depositions, whether or not they are intended to be used at trial, shall be completed by **December 31, 2008**. Plaintiff shall respond to all outstanding discovery requests no later than **December 1, 2008**.
3. Dispositive Motions. All dispositive motions shall be filed on or before **February 15, 2009**. The parties must comply with the provisions of [NECivR 7.1\(a-h\)](#) and [NECivR 56.1](#) when filing summary judgment motions.

4. Pretrial Conference.

- a. Defense counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in [NECivR 16.2\(a\)\(2\)](#). The plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order should be submitted to the plaintiff and to any other parties by **April 16, 2009**. The plaintiff shall provide additions and/or proposed deletions to Defense counsel by **April 30, 2009**. Defense counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than **May 14, 2009**. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.
- b. The Final Pretrial Conference will be held before Magistrate Judge David L. Piester on **May 22, 2009 at 9:00 a.m.** Prior to the pretrial conference, all items as directed in [NECivR 16.2](#) and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.
- c. If a plaintiff is held in an institution, the pretrial conference will be by telephone. In that case, Defense counsel shall contact the plaintiff's institution in advance and arrange to initiate and place the conference call.

5. The trial date will be set by Magistrate Judge Piester at the time of the Final Pretrial Conference.

6. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: Pretrial conference before Magistrate Judge Piester to be held on May 22, 2009.

7. This case has been pending since September 14, 2006. In light of this, **no further extensions of time of these deadlines will be permitted.**

November 12, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge